

Notice of Allowability

Application No.

10/632,193

Examiner

George R. Koch III

Applicant(s)

MCCAIN, KYLE

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/9/2005.
2. ☒ The allowed claim(s) is/are 1-2.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 1, line 1, delete "((First Amended))"

Claim 1, line 26, delete "(space)"

Drawings

2. The drawings filed on 12/23/2003 are accepted by the Examiner.

Allowable Subject Matter

3. Claims 1-2 are allowed.
4. The following is an examiner's statement of reasons for allowance: The prior art of record does suggest many of the individual steps. For example, the prior art does suggest manufacturing an enclosure for a preselected set of speaker drivers, said enclosure having any preselected external shape and including internal cavities and channels formed to enhance the ability of the drivers to reproduce sound with preselected characteristics. Goldslager (either US Patent 6,763,117 B2 or US

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2003/0063766 A1) suggests manufacturing such items by utilizing a "plurality of cavity forming layers" which are equivalent to the selected layers. These selected layers are developed from machining patterns (see columns 7-9 of US Patent 6,763,117, especially column 9, lines 10-23) which can be considered equivalent to the claimed base templates. In columns 7-8, Goldslager discloses the design of the walls of the selected layers in terminology that is analogous to the design of the base templates in the claims. Additionally, Goldslager recites manufacturing crossover networks (items 47 and 67). However, there is a critical difference between Goldslager and the claims - Goldslager, while disclosing machining patterns, i.e., base templates, does not suggest some of the substeps, such as the step of outlining circumferential edges of internal supports to strengthen and stabilize the enclosure, the placement of the internal supports being selected whereby the drivers may be fully inserted within the enclosure. Goldslager also does not disclose the technique for attaching the layers together, and does not suggest the combination of both rods and adhesives as the layer joining mechanism.

Monson (US Patent 5,900,594) discloses some of the deficiencies in Goldslager, for example, bonding the layers by glue (see column 2, lines 50-61). However, there is no suggestion of any of the base template design steps (outline circumferences, guide holes, etc) or the use of reinforcing rods along with adhesive bonding.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

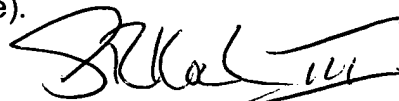
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230. The examiner can normally be reached on M-Th 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George R. Koch III
Patent Examiner
Art Unit 1734

GRK
9/30/2005